

Mar 01, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

HEIDI W.,

No. 1:18-CV-3105-JTR

v.

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 19. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Michael S. Howard represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 3. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 19**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) will hold a *de novo* hearing, further develop the record as necessary, and issue a new decision. The ALJ shall: (1) reevaluate whether Plaintiff's fibromyalgia was a severe impairment at step

1 two; (2) reevaluate Plaintiff's testimony, as well as the lay witness testimony; (3)  
2 reevaluate the medical opinions of Laura Kim, M.D., and Victoria Eskinazi, Ph.D.,  
3 M.D; and (4) as necessary, continue with the sequential evaluation process.  
4 Plaintiff may present additional testimony and submit additional evidence.

5 2. **Judgment shall be entered for PLAINTIFF.**

6 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is  
7 **STRICKEN AS MOOT.**

8 4. An application for attorney fees and costs may be filed by separate  
9 motion.

10 The District Court Executive is directed to enter this Order, forward copies  
11 to counsel, and **CLOSE THE FILE.**

12 DATED March 1, 2019.

A handwritten signature in black ink, appearing to be "M", is written above a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE